

PLANNING AND ZONING COMMISSION
STAFF REPORT

December 3, 2015



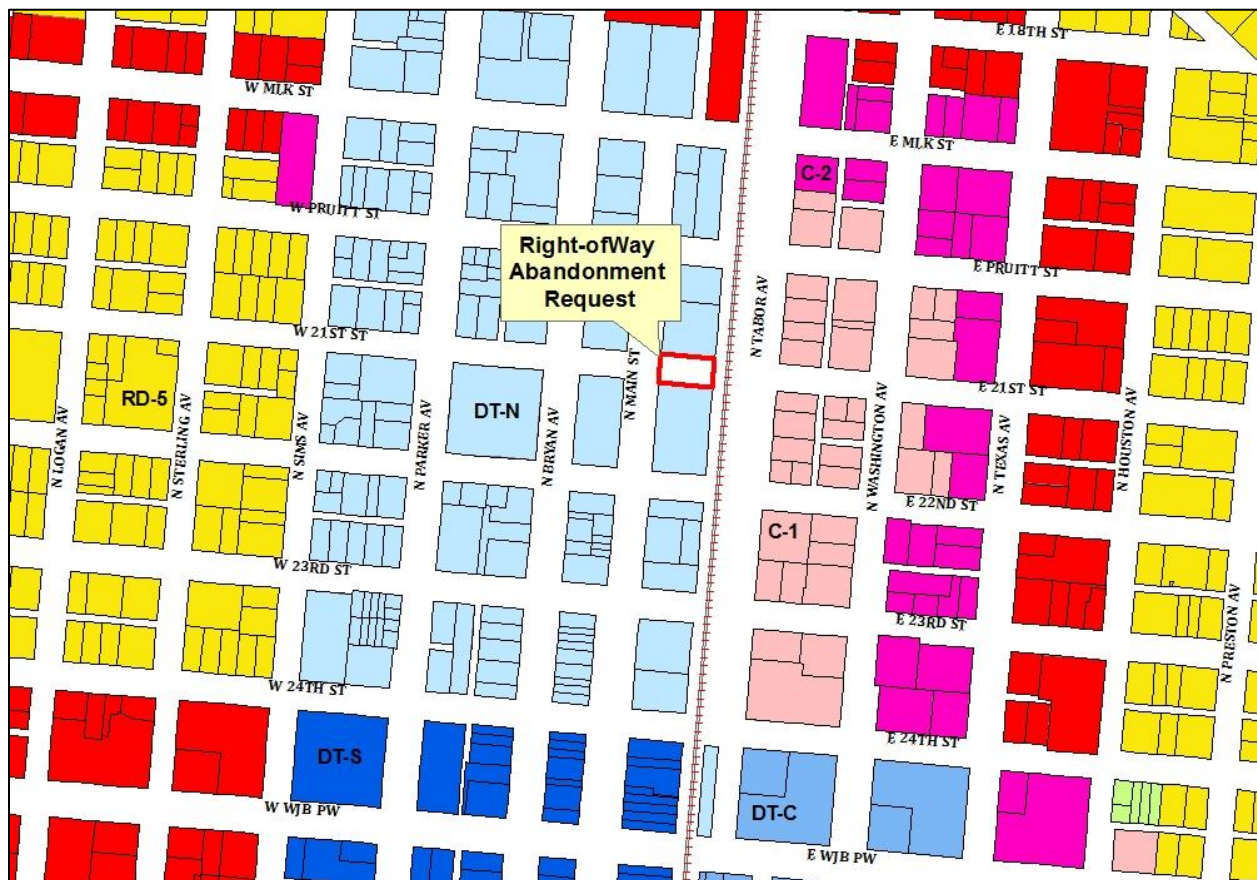
Right-of-way Abandonment case no. RA15-04: a portion of East 21st Street

SIZE AND LOCATION: approximately 0.275 acres (12,000 square feet) of public street right-of-way for East 21st Street adjoining the north and south sides, respectively, of Block 265 and 264 in the Bryan Original Townsite, east of the intersection of East 21st Street and North Main Street

APPLICANT(S): Bryan Commerce & Development

STAFF CONTACT: Randy Haynes, Senior Planner

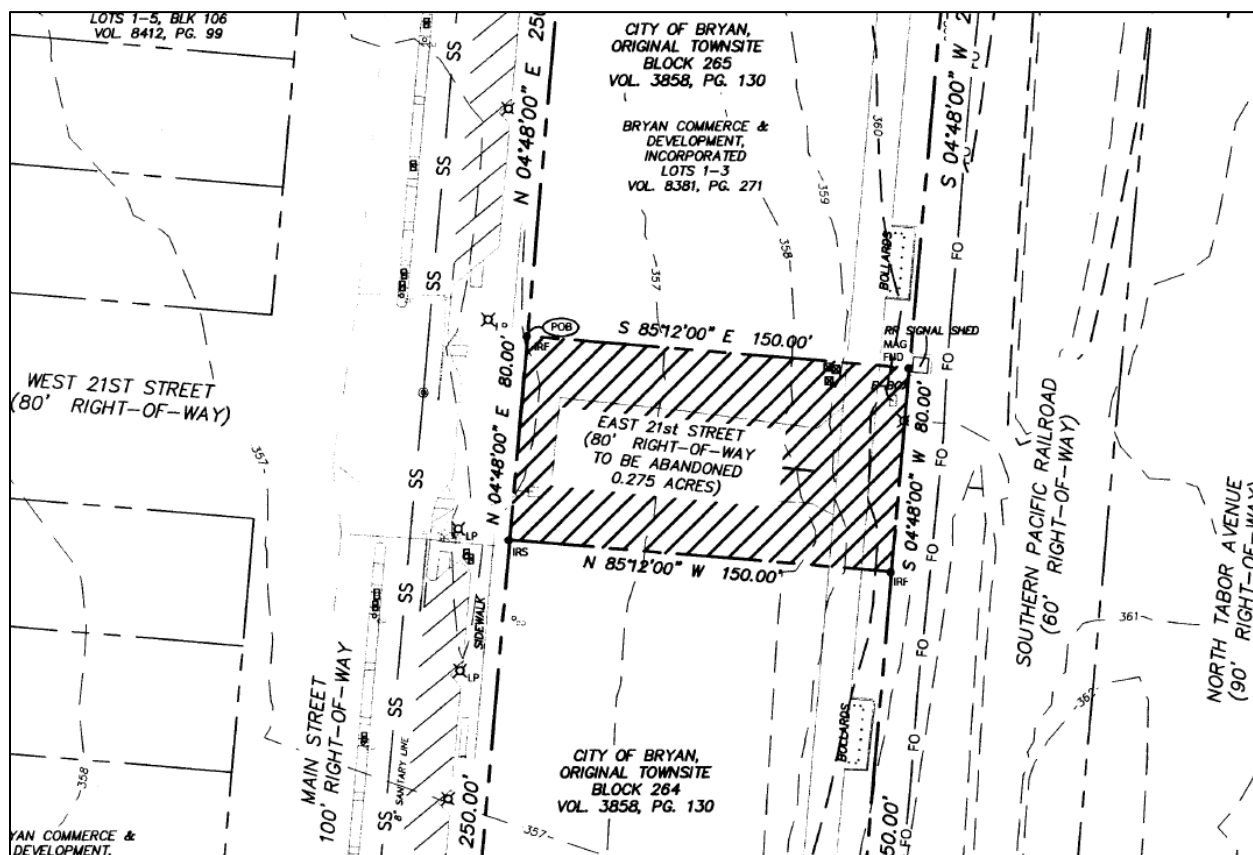
SUMMARY RECOMMENDATION: Staff recommends **conditionally approving** the requested right-of-way abandonment.



AERIAL, 2015:



DETAIL OF REPLAT DRAWING (RP15-35) SHOWING THE AREA OF RIGHT-OF-WAY REQUESTED TO BE ABANDONED:



RIGHT-OF-WAY REQUESTED TO BE ABANDONED:

The applicant, Bryan Commerce & Development (BCD), is requesting the official abandonment of a portion of public street right-of-way for East 21st Street adjoining the north and south sides, respectively, of Block 265 and 264 in the Bryan Original Townsite, east of the intersection of East 21st Street and North Main Street. It is the intent of the applicant to formally integrate the subject tract with their ownership of the adjoining land.

The right-of-way requested to be abandoned is 0.275 acres in area, and until 2004, was improved with a driving surface and in public use. In October 2004, at the request of the Texas Department of Transportation and the Union Pacific Railroad, citing safety concerns; the City Council approved an ordinance permanently closing the East 21st Street crossing of the Union Pacific tracks. In 2008, the applicant, BCD began assembling real estate in the north end of downtown for the purpose of facilitating the redevelopment of that area. It was at this time that property abutting the north and south sides of the subject tract were acquired. Due to the lack of a vehicle crossing at the location, renovation of the driving surface on the subject tract was deleted from the third phase of the Downtown infrastructure replacement project completed in 2011.

In order to facilitate redevelopment of the property to the north and south of the subject tract, (Blocks 264 and 265), a replat request has been filed to consolidate these downtown blocks along with the subject portion of public right-of-way into one lot. The replat request, (RP15-35) scheduled for consideration on the December 3rd P&Z regular meeting agenda, is contingent upon prior approval by the City Council of this right-of-way abandonment request.

Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

ANALYSIS AND RECOMMENDATION:

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The right-of-way requested to be abandoned will be functionally integrated with adjacent land and made available for development. Abandoning the subject right-of-way, will not interfere with the smooth circulation of vehicular or pedestrian traffic.

The Site Development Review Committee and staff recommend **approving** the request to abandon this portion of public street right-of-way, **subject to the condition that a formal replat encompassing all property which the applicant owns or will own after abandonment of these rights-of-way is filed with the City for recording.** Abandoning the subject rights-of-way, as recommended, will allow this land to be integrated with adjacent land and, therefore allow efficient and orderly urban development. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.